

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

Docket No.
STEINER 00.01

In Re Application Of:

WILSON ET AL.

Serial No.

09/896,375

Filing Date

JUNE 29, 2001

Examiner

Group Art Unit

1761

Invention:

IMPROVED FLAVORING COMPOSITION AND PROCESS FOR BREWING MALT BEVERAGES

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

Signature

Dated: September 30, 2002

Norman P. Soloway
Hayes, Soloway, Hennessey, Grossman & Hage, P.C.
130 W. Cushing Street
Tucson, AZ 85701
520-882-7623

Certificate of Mailing by First Class Mail

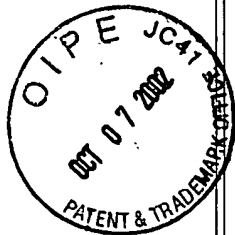
I certify that this document is being deposited on
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20231.

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KIM GOOD

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. Of: WILSON et al
Serial No.: 09/896,375
Filed: June 29, 2001
For: IMPROVED FLAVORING COMPOSITION AND PROCESS....
Group: 1761
Examiner: DOCKET: STEINER 00.01

Assistant Commissioner of Patents & Trademarks
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicants hereby attach U.S. Patent Form PTO-1449, including a copy of the reference listed therein. The reference was cited in the Written Opinion dated July 1, 2002 of the corresponding PCT patent application. Enclosed, also, is a copy of the Written Opinion. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure Statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitute prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

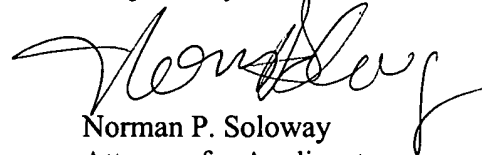
In compliance with the requirements of 37 CFR § 1.98(a)(3), as a concise statement of relevance, as it is presently understood by the individual designed in 35 U.S.C. § 1.56(c) most knowledgeable about the content of the information, the undersigned attorney of record submits

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a copy of the Written Opinion by the PCT examiner in which the references were cited. The relevance to the pending U.S. patent application is that the references were cited in a PCT patent application on the same subject matter. However, no independent analysis of the reference, the accuracy of the statement of foreign examiner or the claims of the PCT application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the PCT examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted within three months of receipt of the PCT Written Opinion, as certified in the attached Certification for Information Disclosure Statement. Therefore, we believe there are no fees involved with this Information Disclosure Statement. However, in the event there are any fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Registration No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 30, 2002 at Tucson, Arizona.

By: Kim Hovel

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